



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 3 2011

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Docket Management Facility, M-30
U.S. Department of Transportation, West Building
Ground Floor, Room W12-140
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Draft Environmental Impact Statement for Medium- and Heavy-Duty Fuel Efficiency Improvement Program, Docket Number NHTSA-2010-0079

To Whom It May Concern,

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the Environmental Protection Agency has reviewed the National Highway Traffic Safety Administration's (NHTSA) Draft Environmental Impact Statement (DEIS) for a proposed new Medium- and Heavy- Duty Fuel Efficiency Improvement Program.

In this DEIS, NHTSA considers the potential environmental impacts of the fuel consumption standards for commercial medium- and heavy-duty on-highway vehicles and work trucks that NHTSA is proposing pursuant to the Energy Independence and Security Act of 2007. These proposed fuel consumption standards would be optional in model year 2014 and 2015, becoming mandatory in model year 2016 for most regulatory categories.

For the purposes of the DEIS, NHTSA has presented a detailed analysis of the potential impacts of its proposed action to energy resources, air quality, and climate. The DEIS further describes the potential impacts of its proposed action to water resources, biological resources, safety and other impacts to human health, hazardous materials and regulated wastes, noise, and environmental justice. EPA believes the DEIS adequately addresses the potential environmental impacts and cumulative effects of the proposed standards. Further, EPA is supportive of the effort to improve fuel consumption standards for medium- and heavy-duty vehicles and believes that NHTSA's proposed action will result in substantial environmental benefits.

Based on our review of the DEIS, EPA rates the document LO (Lack of Objections), which indicates that EPA has no significant concerns regarding the effects of the proposed action. A summary of EPA's rating criteria is enclosed.

We appreciate the opportunity to review and provide comment on the DEIS and will continue to provide assistance to NHTSA, pursuant to our status as a cooperating agency on the proposal, as the environmental review process moves forward. If you have any questions, please contact Robert Hargrove at 202-564-7157 or James G. Gavin at 202-564-7161.

Sincerely,



Susan E. Bromm
Director
Office of Federal Activities

Enclosure :

EPA's Summary of NEPA Rating Definitions

SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impacts. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS site, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1-Adequate

The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collecting is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment